REMARKS:

This paper is herewith filed in response to the Examiner's Office Action mailed on July 24, 2009 for the above-captioned U.S. Patent Application. This office action is a rejection of claims 1-3, 6-8, 10-16, 23-26, 30-35, 37-42, and 44-48 of the application.

More specifically, the Examiner rejected claims 1-3, 6-8, 14-15, 23-26, 30-35, 38-40, 44-46, and 48 under 35 USC 103(a) as being unpatentable over Tanaka (US 6435969) in view of Leah (US5808601); rejected claims 16 and 47 under 35 USC 103(a) as being unpatentable over Tanaka in view of Leah; rejected claims 10-13 under 35 USC 103(a) as being unpatentable over Tanaka et al. in view of Leah in view of Yamada (US5874941); rejected claim 42 under 35 USC 103(a) as being unpatentable over Tanaka et al. in view of Leah further in view of Rutledge (US5764219); and rejected claim 41 over Tanaka et al. in view of Leah in view of Erfat (US6570587). The Applicant respectfully disagrees with the rejections.

Claims 1, 44 and 48 have been amended for mere formality. Claim 45 has been amended accordingly. Support for the amendments can be found at least in paragraphs [0086] and [0099] of the published application. No new matter is added.

Regarding the rejection of claim 1 the Applicant agrees with the Examiner where the Examiner acknowledges:

> "Tanaka does not teach determining a distance between the focus and an object as a radius using a co-ordinate system that is rotated and compressed in a direction of movement of said focus, where said co-ordinate system is rotated so that it becomes aligned with the direction of movement; and if said object has the smallest determined radius, marking said object as a selected object."

However, the Applicant disagrees with the Examiner that:

> "Leah teaches determining a distance between the focus and an object as a radius using a co-ordinate system that is rotated and compressed in a direction of movement of said focus, where said co-ordinate system

> is rotated so that it becomes aligned with the direction of movement; and if said object has the smallest determined radius, marking said object as a selected object (See Figure 2B and column 5 line 37-column 6 line 12)," (emphasis added).

The Applicant notes that Leah discloses a boundary B around a selectable object that has a dimension or radius distance from the selectable object. In Leah the boundary B is calculated for each selectable object on a screen to which a user or application has assigned a mass value m. Leah also calculates a force (or gravity) of the selectable object using this value m and a distance d from the objects center of gravity. Further, in Leah a mouse selection pointer is assigned a value M by an operating system or a user (col. 6, lines 16-24). In addition, it is noted that Leah makes reference to the mouse selection pointer having visual (or displayed) and true (or virtual) characteristics (col. 4 lines 22-36).

As cited, Leah discloses an operation where calculation operations occur when a mouse selection pointer is in a position near or within a boundary B of a selectable object. These operations relate to determining whether the dimension d between the real mouse selection pointer, having the assigned value M, and the selectable object, having the assigned value m, is less than a calculated boundary dimension B for the radius of effect of the force field or gravity about the selectable object (col. 5, lines 56-61). If it is less, then the virtual mouse selection pointer becomes attracted to and is then positioned on the selectable object. Further, Leah discloses that the real physical (visual) location of the actual mouse pointer has not changed in so far as the user is concerned (col. 5, line 55 to col. 6, line 2).

The Applicant submits that Leah clearly can not be seen to relate to determining a distance between a focus and an object as a radius using a co-ordinate system that is rotated and compressed in a direction of movement of said focus.

In Leah, as stated above, the determination of the boundary B is based upon the radius of effect of the force around the selectable object. The Applicant notes that Leah discloses that the force is calculated using the assigned mass (m) of the selectable

object and the distance d from the selectable objects center of gravity from which the force is to be calculated. The Applicant submits that for at least the reason that the value m is a value that is pre-assigned to the selectable object and the value d appears merely to be used to determine a force at a particular distance a direction away from the center of the object these values can not be seen to relate to a determination using a co-ordinate system that is rotated and compressed in a direction of movement of said focus (e.g., mouse pointer).

Further, the Applicant submits that, similarly, the boundary B can not be seen to be rotated and compressed in a direction of movement of a focus. Rather, as illustrated in Leah Figures 2A – 2C, it can be seen that the boundary B is spherical around the selectable object. Thus, the boundary B is extending from the selectable object equally in all directions away from the object. Clearly, the boundary B is not rotated and compressed in a direction of movement of a focus, but rather the boundary B can be seen to extend outwards from the selectable object towards any mouse pointer outside its perimeter. Further, as similarly stated above, the distance d is a distance calculated from the center of the selectable object towards a pointer.

Consider an example in Leah where a selectable object's boundary B overlaps with another selectable object's boundary B. In this situation Leah discloses a more complex calculation using a distance between the centers of the selectable objects and the assigned mass of each of the objects to calculate a value X which is then assigned to be the effective boundary B (col. 8, lines 23-40). Leah states "It is this value of the effective boundary B [X] that is utilized in the process to determine whether the actual physical position of the mouse selection pointer lies within the boundary B," (col. 8, lines 34-37).

Thus, even in the case where the boundary B of more than one selectable object overlaps, Leah fails to take into account any direction of a movement of a focus. This is clearly the case for at least the reason that, here, the calculations of Leah similarly do not use any coordinates that are rotated and compressed in a direction of movement of a focus. Rather, to overcome this overlap, Leah discloses a method to

calculate a variable X using assigned mass values (m) for the overlapping selectable objects (see Leah Figure 1 block 8), where the value X replaces the value of B and appears similarly applied from the selectable object outwards. The Applicant contends that the teachings of Leah clearly can not be seen to relate to determining a distance between a focus and an object using a coordinate system that is rotated and compressed in a direction of movement of a focus.

Further, the Applicant contends that none of the mass values, the boundary B, or the distance d of Leah can be imputed to reject where claim 1 relates to a co-ordinate system, as in claim 1. The Applicant directs the Examiner to the published application where it is described:

> "The x-y co-ordinate system is rotated so that it aligned with the direction of motion of the pointer 11, so that in the rotated x'-y' co-ordinate system, the x' direction is parallel to the direction of motion, v (step S13). The rotated co-ordinate system is scaled in the x' direction by a compression factor [...].The distance between the pointer 11 and each link 10 is determined as a radius, r, (step S16) using the modified x"-y' co-ordinate system," (paragraph [0085]).

The Applicant submits that the calculations of Leah are based on assigned mass values and calculations of point-to-point distances from a single point in the center of the selectable object outwards towards a mouse pointer. The Applicant contends that these values in Leah can not be seen to relate to a coordinate system, as in claim 1.

Further, the Applicant notes that in the Office Action the Examiner admits that "Tanaka does not teach determining a distance between the focus and an object as a radius using a co-ordinate system that is rotated and compressed in a direction of movement of said focus [...]," (emphasis added). The Applicant submit that for at least this reason and for at least the reasons already argued in the prior Response filed on May 1, 2009, Leah can not be seen to overcome at least this deficiency of Tanaka.

In addition, the Applicant submits that none of the references cited, including Yamada, Rutledge, and Erfat, can be seen to overcome the shortfalls of Leah and Tanaka as stated above.

The Applicant contends that even if the references where combined, which is not agreed to as proper, the proposed combination would still fail to disclose or suggest at least where claim 1 recites in part "determining a distance between the focus and an object as a radius using a co-ordinate system that is rotated and compressed in a direction of movement of said focus, where said co-ordinate system is rotated so that it becomes aligned with the direction of movement."

The Applicant contends that, for at least the reasons stated, the cited references alone or combined can not be seen to disclose or suggest claim 1. Thus, the Examiner is respectfully requested to remove the rejection and allow claim 1.

In addition, for at least the reasons that claims 44 and 48 recite features similar to claim 1, as stated above, the references cited can not be seen to disclose or suggest these claims. Therefore, the rejections of these claims should be removed and claims 44 and 48 should be allowed.

Further, the Applicant submits that for at least the reasons that claims 2-3, 6-8, 10-16, 23-26, 30-35, and 37-42, and claims 45-47 depend from claims 1 and 44, as stated above, the references cited can not be seen to disclose or suggest these claims.

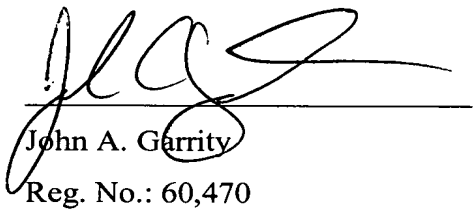
Further, although the Applicant does not argue against all the rejections in the Office Action, the Applicant does not acquiesce to these rejections.

Based on the above explanations and arguments, it is clear that the references cited cannot be seen to disclose or suggest claims 1-3, 6-8, 10-16, 23-26, 30-35, 37-42, and 44-48. The Examiner is respectfully requested to reconsider and remove the rejections of claims 1-3, 6-8, 10-16, 23-26, 30-35, 37-42, and 44-48 and to allow all of the

pending claims 1-3, 6-8, 10-16, 23-26, 30-35, 37-42, and 44-48 as now presented for examination.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Should any unresolved issue remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted:



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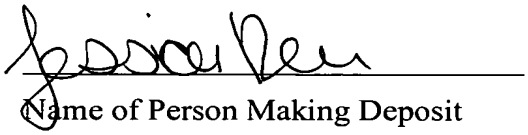

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